

Remarks

Claims 1, 4-6, 8-13, and 15 were presented for examination and all claims were rejected. Claims 9 and 10 have been cancelled and claims 16-18 added. No new matter has been introduced. Upon entry of the present amendment, claims 1, 4-6, 8, 11-13, and 15-18 will be currently pending in this application, of which claims 1, 6, 8, 11, 13, and 15-16 are independent. Applicants submit that pending claims 1, 4-6, 8, 11-13, and 15-18 are patentable and in condition for allowance.

The following comments address all stated grounds of rejections. Applicants traverse all rejections and urge the Examiner to pass the claims to allowance in view of the remarks set forth below.

OBJECTION TO THE SPECIFICATION

I. Specification does not fail to provide antecedent basis for claimed subject matter

The Examiner objects to the specification as failing to provide proper antecedent basis for the claimed subject matter. The Examiner specifically objects to the term “intermediary” recited in claim 15, stating that the term is not mentioned in the specification of the present application and that there is no support or antecedent basis for this term that allows the meaning of the term to be ascertained as required by 37 CFR 1.75(d)(1). Applicants traverse this objection and submit that the specification supports the claimed subject matter.

Applicants submit that the term “intermediary” is supported in the specification as required by 37 CFR 1.75(d)(1). Applicants direct the Examiner’s attention to Figure 1 (e.g., service provider 100), and the corresponding description on page 5 of the instant specification

for support of this term. One skilled in the art would be able to ascertain the meaning of an intermediary that parses received data files transmitted between a client and a server in view of the specification. Therefore, Applicants request the Examiner to withdraw this objection to the specification.

CLAIM REJECTIONS UNDER 35 U.S.C. §103

I. Claims 1, 4-6, 8-13, and 15 Rejected Under 35 U.S.C. §103

Claims 1, 4-6, 8-13, and 15 were presented for examination. The Examiner rejected claims 1, 4-6, 8-13, and 15 under 35 U.S.C. §103(a) as unpatentable over U.S. Patent Publication No. 2006/0242145 filed by Krishnamurthy *et al.*, on June 28, 2006 (“Krishnamurthy”), in view of U.S. Patent No. 6,044,398 issued to Marullo *et al.*, on March 28, 2000 (“Marullo”). Claims 9 and 10 have been cancelled, mooted this rejection with respect to these claims. Claims 1, 6, 8, 11, 13 and 15 are independent claims. Claims 4 and 5 depend on and incorporate all of the patentable subject matter of independent claim 1. Claim 12 depends on and incorporates all of the patentable subject matter of independent claim 11. Applicants respectfully traverse this rejection and submit that Krishnamurthy and Marullo, alone or in combination, fail to teach or suggest each and every element of the claimed invention.

A. Independent Claims 1, 6 and 8 Patentable over Krishnamurthy in view of Marullo

Independent claims 1, 6, and 8 are directed towards methods for efficiently parsing received data files. These claims recite:

- (i) comparing a stored (or cached) version of a data file (or HTML page) with a received data file (or HTML page) to identify non-matching content in the received data file (or HTML page); and

- (ii) parsing only the non-matching content of the received data filed (or HTML page) to form a subtree.

Applicants submit that the combination of Krishnamurthy and Marullo fails to teach or suggest of each of the above-identified elements of the claimed invention.

The combination of Krishnamurthy and Marullo fails to teach or suggest: (a) parsing only the non-matching content of the received data file in comparison to a stored version and (b) doing so to form a subtree. The Examiner cites Marullo only for the purpose of a virtual browser and relies solely on Krishnamurthy for the remaining claim elements. The Examiner equates the parsing of Krishnamurthy's parser to these features of the claimed invention. However, instead of parsing only non-matching content from the comparison of data files, Krishnamurthy completely parses all the content of the received data file and completely parses all the content from another version of the data file. Figure 7 of Krishnamurthy clearly identifies that all the content of the view (see VIEW ABC, Fig. 7) of the page is parsed by the parser into a first tree (see TREE1, Fig. 7) and all the content of the received page (see PAGE 2, Fig. 7) is also parsed into a second tree (see TREE2, Fig. 7). Thus, Krishnamurthy parses the entire data file each time the file is received. By parsing the entire data file each time, Krishnamurthy teaches away from the efficient parsing of the claimed invention. Therefore, Krishnamurthy and Marullo fail to teach or suggest parsing only the non-matching content of the received data file in comparison to a stored version of the data file.

Furthermore, the combination of Krishnamurthy and Marullo fails to form a subtree from parsing only the non-matching content of the received data file. The only point at which Krishnamurthy forms a sub tree is from the result of the tree difference (TREE DIFF) and extraction process (see DIFFERENCE and EXTRACTION, Fig. 7). That is, Krishnamurthy

forms a sub tree by extracting a sub tree from an existing tree and not from parsing a comparison of a received data file. Therefore, the combination of Krishnamurthy and Marullo also fails to form a subtree from parsing the non-matching content of the received data file.

Because the combination of Krishnamurthy and Marullo fails to teach or suggest each and every feature of the claimed invention, Applicants submit that independent claims 1, 6, and 8 are patentable and in condition for allowance. As claims 4 and 5 depend on and incorporate all of the patentable subject matter of independent claim 1, Applicants submit that claims 4 and 5 are also in condition for allowance. Accordingly, Applicants request the Examiner to withdraw the rejections of claims 1, 4-6 and 8 under 35 U.S.C. §103.

B. Independent Claim 11 Patentable over Krishnamurthy in view of Marullo

Independent claim 11 is directed towards a method for efficiently parsing received data files. This claim recites:

- (i) identifying by a comparison engine non-matching content present only in a received data file; and
- (ii) parsing the non-matching content present only in the received data file to form a subtree.

Applicants submit that the combination of Krishnamurthy and Marullo fails to teach or suggest of each of the above-identified elements of the claimed invention.

The combination of Krishnamurthy and Marullo fails to teach or suggest identifying by a comparison engine non-matching content present only in a received data file. The Examiner cites Marullo only for the purpose of a virtual browser and relies solely on Krishnamurthy for the remaining claim elements. Instead of identifying only non-matching content present in a

received data file, Krishnamurthy identifies differences between two trees (see the TREE DIFFERENCE, Fig. 7). First, the tree difference operation of Krishnamurthy identifies tree differences and does not identify content in the received data file. Secondly, the tree difference operation of Krishnamurthy identifies differences in both trees, not just differences present in only one of the trees. Therefore, the combination of Krishnamurthy and Marullo fails to teach or suggest identifying by a comparison engine non-matching content present only in a received data file

Furthermore, the combination of Krishnamurthy and Marullo fails to form a subtree from parsing the identified non-matching content present only in the received data file. As discussed above, the only point at which Krishnamurthy forms a sub tree is by clipping a portion of an existing tree from a tree diff operation (see DIFFERENCE and EXTRACTION, Fig. 7). As Krishnamurthy creates a subtree from another tree, Krishnamurthy does not create a subtree from parsing content in the received data file. Krishnamurthy extracts a subtree from the difference between the two trees – the difference is from both trees and not only in one tree. Therefore, the combination of Krishnamurthy and Marullo also fails to form a subtree from parsing the non-matching content present only in the received data file.

Because the combination of Krishnamurthy and Marullo fails to teach or suggest each and every feature of the claimed invention, Applicants submit that independent claim 11 is patentable and in condition for allowance. Accordingly, Applicants request the Examiner to withdraw the rejections of claim 11 under 35 U.S.C. §103.

C. Independent Claims 13 and 15 Patentable over Krishnamurthy in view of Marullo

Independent claims 13 and 15 are directed towards a system and intermediary respectively for efficiently parsing received data files. These claims recite:

- (i) a comparison engine comparing a cached version of the data file with the received data file to identify non-matching content; and
- (ii) parsing only the non-matching content identified by the comparison engine to form a subtree.

Applicants submit that the combination of Krishnamurthy and Marullo fails to teach or suggest of each of the above-identified elements of the claimed invention.

The combination of Krishnamurthy and Marullo fails to teach or suggest a comparison engine comparing a cached version of the data file with the received data file to identify non-matching content. The Examiner cites Marullo only for the purpose of a virtual browser and relies solely on Krishnamurthy for the remaining claim elements. Instead of identifying non-matching content between a cached data file and a received data file, Krishnamurthy identifies non-matching tree information from a tree diff between two trees (see the TREE DIFFERENCE, Fig. 7). Neither of these trees are themselves a cached data file nor a received data file and thus, the difference between the trees only identify tree differences and not non-matching content of data files. Therefore, the combination of Krishnamurthy and Marullo fails to teach or suggest identifying by a comparison engine non-matching content between a cached data file and a received data file.

Furthermore, the combination of Krishnamurthy and Marullo fails to form a subtree from parsing only the non-matching content identified by the comparison engine. As discussed above, the only point at which Krishnamurthy forms a sub tree is by clipping a portion of a tree created

by a tree difference process (see DIFFERENCE and EXTRACTION, Fig. 7). As Krishnamurthy creates a subtree from tree another tree, Krishnamurthy does not create a subtree from parsing content in the received data file. Therefore, the combination of Krishnamurthy and Marullo also fails to form a subtree from parsing the non-matching content present only in the received data file.

Because the combination of Krishnamurthy and Marullo fails to teach or suggest each and every feature of the claimed invention, Applicants submit that independent claims 13 and 15 are patentable and in condition for allowance. Accordingly, Applicants request the Examiner to withdraw the rejections of claims 13 and 15 under 35 U.S.C. §103.

Conclusion

In light of the aforementioned amendments and arguments, Applicants contend that each of the Examiner's rejections has been adequately addressed and all of the pending claims are in condition for allowance. Accordingly, Applicants respectfully request reconsideration and withdrawal of all grounds of rejection and allowance of all of the pending claims.

Should the Examiner feel that a telephone conference with Applicants' attorney would expedite the prosecution of this application, the Examiner is urged to contact the Applicants' attorney at the telephone number identified below.

Respectfully submitted,

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